

## **REMARKS**

In response to the Office Action dated February 10, 2006, Applicants respectfully request reconsideration.

### **Drawings**

Enclosed herewith are Replacement Sheets replacing original FIGS. 1-5.

FIGS. 1 and 5 stand “objected to under 37 C.F.R. § 1.84(m) because they fail to show the necessary textual description stated in the drawings figures of figures 1 and 5.” The shading has been removed from FIGS. 1 and 5. Applicants respectfully assert that FIGS. 1 and 5 comply with 37 C.F.R. § 1.84(m).

Furthermore, FIGS. 2 and 5 have been amended. FIG. 2 has been amended to show a volume manager 221 instead of a volume manager 112. FIG. 5 has been amended to include a “file management system 500.” Applicants assert that no new matter is introduced by the amendments to FIGS. 2 and 5.

### **Specification**

The Specification stands objected to. The Examiner has required that the Applicants provide serial numbers for the related applications indicated on page 1, ¶ [01] of the specification. Applicants have amended the specification as required by the Examiner.

### **Double patenting**

Claims 1 and 2 stand provisionally rejected on the grounds of non-statutory obviousness-type double patenting. Applicants respectfully assert that claims 1 and 2 of the present application are patentably distinct over the other claims identified by the Examiner. Applicants, however, are submitting a terminal disclaimer herewith, thus obviating the double patenting rejection of claims 1 and 2.

**35 U.S.C. § 101 rejections**

Claim 1 stands “rejected under 35 U.S.C. § 101 because it is directed to a system of managing volumes of electronic files which is an abstract idea or the mere manipulation of an abstract idea.” Applicants thank the Examiner for the suggestion of amending claim 1 to read “A computerized file management system.” Claim 1 has been amended to reflect the Examiner’s suggested language. Applicants assert that claim 1 satisfies 35 U.S.C. § 101.

**35 U.S.C. § 103 rejections**

Claims 1-11, and 13-25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,330,572 (Sitka) in view of U.S. Patent No. 6,741,996 (Brehner).

Sitka in view of Brehner does not teach, disclose, suggest, or make obvious a computerized file management system, as recited in claim 1, including a workflow module coupled to a volume manager and configured to automatically perform a workflow event corresponding to a predetermined event in response to the predetermined event occurring. The Examiner cited col. 11, ll. 41-67, col. 12, ll. 19 & 26-57, col. 13, lines 57-67, col. 14, ll. 1-61 of Brehner as disclosing “enabling certain actions to occur automatically based on predetermined events, including changes to the metadata to facilitate workflow. (Office Action dated 2/10/06, p. 8). Brehner discusses a media clip organizer software application that simplifies browsing the media clips. Abstract. The portions of Brehner cited by the Examiner discuss a “Browse Import Function” that reacts to a user’s selection of a collection. Several events are triggered as a result of the user browsing the collection only if the auto-import state property is selected for that collection. *Id.*, col. 11, ll. 43-47, FIG. 6 (emphasis added). Claim 1, however, recites a workflow module coupled to the volume manager and configured to automatically perform a workflow event corresponding to a predetermined event in response to the predetermined event occurring, wherein the predetermined event is at least one of a

change to the metadata of a selected file of the electronic files and file operation of the selected file of the electronic files.

Furthermore, The Examiner cited FIG. 2, element 52 and col. 17, ll. 23-26 of Sitka as teaching or suggesting a volume manager that manages the electronic files as metadata relating to such files. The cited portions of Sitka, however, discuss a volume manager 52 that:

carries out the following tasks: (1) maintains the records in the Volume and Store tables in the database; (2) aids in selecting appropriate destination volumes for IO Requests; (3) gets volumes ready for transferring data; and (4) when data transfer is complete, releases the volumes. In preparing volumes for transfer, volume manager 52: (a) issues Volume Mount requests to the Library Server 16 and handle the responses; and (b) issues requests to Volume Server 18 to prepare the drive and volume for file segment commands, and handle the responses. Volume Server 18 sets up Data Mover 20, 21. To release the volumes, Volume Manager 52 issues requests to Volume Server 18 to release the volume and drive, and issues requests to Library Server 16 to unmount the Volume.

Col. 15, l. 15 – col. 16, l. 4. While Sitka discusses file metadata, the cited portion of Sitka does not disclose that the volume manager manages the metadata. In fact, the cited portions disclose that the file metadata is contained in the Database Server 26, rather than a volume. Thus, Sitka does not teach, suggest, disclose, or make obvious a volume manager configured to manage electronic files on the volume and to manage metadata relating to the electronic files on the volume, as does claim 1.

Claims 2-11 and 13-25, which depend from independent claim 1, stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sitka in view of Brechner. Thus, dependent claims 2-11 and 13-25 are patentable for at least the same reasons discussed above with respect to independent claim 1.

Claim 12, which depends from independent claim 1, stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Sitka in view of Brechner in view of U.S. Pat. No. 6,055,534 (Nishino). The Examiner does not assert that Nishino makes up for the deficiencies noted above with respect to Sitka and Brechner. Thus, for at least the

reasons stated above with respect to independent claim 1, claim 12 is patentable over Sitka in view of Brechner in view of Nishino.

**Additional claims**

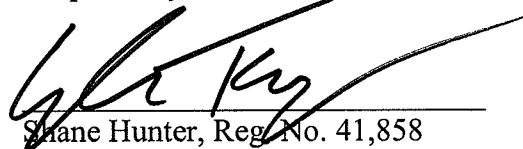
Claims 26-32 have been added. Applicants assert that no new matter has been introduced by claims 26-32. Applicants assert that claims 26-32 are patentable, and a notice to that effect is respectfully requested.

**Conclusion**

Based on the foregoing, this application is believed to be in allowable condition, and a notice to that effect is respectfully requested. If a telephone conversation with Applicant's representative would help expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at (617) 542-6000.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account 50-0311, Reference No. 25396-006.

Respectfully submitted,



Shane Hunter, Reg. No. 41,858  
Kyle Turley, Reg. No. 57,197  
Attorneys for Applicants  
MINTZ, LEVIN, COHN, FERRIS,  
GLOVSKY AND POPEO, PC  
One Financial Center  
Boston, MA 02111  
Tel.: (617) 542-6000  
Fax: (617) 542-2241  
**Customer No. 30623**

Date: August 10, 2006

TRA 2177052v.1